

Senate Study Bill 3024

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON REDFERN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act excluding certain funeral and burial expenses in the
2 determination of medical assistance eligibility.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5479SC 80
5 pf/pj/5

PAG LIN

1 1 Section 1. Section 249A.3, Code Supplement 2003, is
1 2 amended by adding the following new subsection:
1 3 NEW SUBSECTION. 14. In determining eligibility for
1 4 federal supplemental security income for purposes of
1 5 determining medical assistance eligibility under subsection 1,
1 6 paragraph "a", and subsection 2, paragraphs "a", "c", "e", and
1 7 "f", the department shall increase the supplemental security
1 8 income program exclusions for countable resources to include
1 9 the amount of funds set aside for funeral and burial expenses
1 10 in an amount equal to the average statewide cost reasonably
1 11 necessary for a funeral and burial. The department shall
1 12 determine by rule what constitutes excluded funeral and burial
1 13 expenses which shall include embalming, an inner burial
1 14 container, an outer burial container, the purchase of
1 15 interment rights, grave openings, and cemetery merchandise,
1 16 but which shall not include the costs of travel for members of
1 17 the family to attend the funeral or burial. This subsection
1 18 shall not affect the use or validity of a prepaid nonrevocable
1 19 burial contract or arrangement for any purpose, including but
1 20 not limited to the effect of such contract or arrangement on
1 21 eligibility for medical assistance under this chapter.

1 22 EXPLANATION
1 23 This bill provides for an exclusion of certain funeral and
1 24 burial expenses from countable resources under the federal
1 25 supplemental security income program when determining
1 26 eligibility for medical assistance. The bill directs the
1 27 department to determine by rule what constitutes excluded
1 28 funeral and burial expenses which are to include embalming, an
1 29 inner burial container, an outer burial container, the
1 30 purchase of interment rights, grave openings, and cemetery
1 31 merchandise, but which are not to include the costs of travel
1 32 for members of the family to attend the funeral or burial.
1 33 The bill provides that the new provision is not to affect the
1 34 use or validity of a prepaid nonrevocable burial contract or
1 35 arrangement for any purpose, including but not limited to the
2 1 effect of such contract or arrangement on eligibility for
2 2 medical assistance under this chapter.
2 3 LSB 5479SC 80
2 4 pf/pj/5